IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1421 OF 2007

Ulhas @ Babu Dattaram Rao. ..Petitioner.
Versus
The State of Maharashtra
and Anr. ..Respondents.

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Mrs.Sonia Miskin, Adv. appointed for the Petitioner.

Mrs.U.V.Kejariwal, APP, for the State.

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CORAM : R.M.S.KHANDEPARKAR AND SMT.V.K.TAHILRAMANI,JJ.

DATED : SEPTEMBER 21, 2007.

P.C.:-

1. Heard the learned Advocate appointed for the Petitioner and the learned APP for the State.

2. The petitioner had preferred an application for furlough. The said application for furlough came to be rejected as the petitioner is convicted in a case under Section 394 of IPC and also on the ground that the surety, which was proposed by the petitioner

i.e. his mother and brother, have refused to stand as surety for him. In such case, we cannot find any fault with the authorities in rejecting the application for furlough. No interference is called for. Writ Petition is rejected. However, it is made clear that if the petitioner prefers a fresh application for furlough and furnishes suitable surety, the authority shall dispose it off in accordance with law.

[R.M.S.KHANDEPARKAR,J.]

[SMT.V.K.TAHILRAMANI,J.]